

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ERIC M. ROBINSON,

Petitioner,

vs.

BRAD JOHNSON, Lancaster County
Jail; and DOUG PETERSON, Attorney
Generals Office;

Respondents.

8:21CV118

MEMORANDUM AND ORDER

Petitioner filed a Petition for Writ of Habeas Corpus (filings 1 & 2) and a Motion for Leave to Proceed in Forma Pauperis (filing 3). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. 28 U.S.C. § 1914(a). However, upon review of Petitioner's Motion for Leave to Proceed in Forma Pauperis, the court finds Petitioner is entitled to proceed in forma pauperis and Petitioner is relieved from paying the filing fee. *See* 28 U.S.C. § 1915(a)(1).

IT IS THEREFORE ORDERED that: Petitioner's Motion for Leave to Proceed in Forma Pauperis (filing 3) is granted. The next step in this case is for the court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases.¹ The court will conduct this review in its normal course of business.

¹ Rule 1(b) of the *Rules Governing Section 2254 Cases in the United States District Courts* allows the court to apply Rule 4 of those rules to a section 2241 action.

Dated this 26th day of March, 2021.

BY THE COURT:

A handwritten signature in blue ink that reads "Richard G. Kopf". The signature is written in a cursive, flowing style.

Richard G. Kopf
Senior United States District Judge